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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO	
10/810,643	03/29/2004	Mitsuru Sube	M1071.1901	9578	
32172	32172 7590 11/29/2005		EXAMINER		
DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP 1177 AVENUE OF THE AMERICAS (6TH AVENUE)			DOUGHERTY	DOUGHERTY, THOMAS M	
41 ST FL.		ART UNIT	PAPER NUMBER		
NEW YORK	, NY 10036-2714		2834		

DATE MAILED: 11/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<del></del>		Application No.	Applicant(s)				
Office Action Summary		10/810,643	SUBE, MITSURU				
		Examiner	Art Unit				
		Thomas M. Dougherty	2834				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply							
A SH WHIC - Exter after - If NO - Failu Any	ORTENED STATUTORY PERIOD FOR REPLY CHEVER IS LONGER, FROM THE MAILING DANSIONS of time may be available under the provisions of 37 CFR 1.13 SIX (6) MONTHS from the mailing date of this communication. It period for reply is specified above, the maximum statutory period were to reply within the set or extended period for reply will, by statute, reply received by the Office later than three months after the mailing and patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be tim vill apply and will expire SIX (6) MONTHS from a cause the application to become ABANDONET	l.  lely filed  the mailing date of this communication.  O (35 U.S.C. § 133).				
Status			,				
1)⊠	Responsive to communication(s) filed on 29 M	arch 2004.					
,	This action is <b>FINAL</b> . 2b) ☐ This action is non-final.						
3)							
closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.							
Dispositi	on of Claims						
4)⊠	4)⊠ Claim(s) <u>1-18</u> is/are pending in the application.						
	4a) Of the above claim(s) is/are withdrawn from consideration.						
	5) Claim(s) is/are allowed.						
	Claim(s) is/are rejected.						
•	Claim(s) is/are objected to. Claim(s) <u>1-18</u> are subject to restriction and/or e	election requirement					
۵)🖂	Claim(s) 1-10 are subject to restriction and/or e	rection requirement.					
Applicati	on Papers						
9)□	The specification is objected to by the Examine	r.					
10)☐ The drawing(s) filed on is/are: a)☐ accepted or b)☐ objected to by the Examiner.							
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).							
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.							
11)	The path or declaration is objected to by the Ex	aminer. Note the attached Office	Action of form PTO-152.				
Priority u	ınder 35 U.S.C. § 119						
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).							
a) All b) Some * c) None of:							
	1. Certified copies of the priority documents have been received.						
2. Certified copies of the priority documents have been received in Application No							
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).							
* See the attached detailed Office action for a list of the certified copies not received.							
Attachmen							
	e of References Cited (PTO-892) e of Draftsperson's Patent Drawing Review (PTO-948)	4) Interview Summary Paper No(s)/Mail Da	te				
3) Inform	nation Disclosure Statement(s) (PTO-1449 or PTO/SB/08) r No(s)/Mail Date		atent Application (PTO-152)				

## **DETAILED ACTION**

## Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

 Claims 1-10, drawn a piezoelectric ceramic, classified in class 310, subclass 358.

II. Claims 11-18, drawn to a method of making a piezoelectric ceramic material, classified in class 29, subclass 25.35

Inventions of the two Groups are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case the product as claimed can be made by etching as opposed to forming a mixture into a predetermined shape.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Direct inquiry to Examiner Dougherty at (571) 272-2022.

November 23, 2005

TOM DOUGHERTY PRIMARY EXAMINER